

### **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions and listings of claims in the application:

#### **Listing of Claims**

Claim 1 (Previously Presented): A surgical stapler having a distal end onto which a tool assembly having a pair of opposing tissue engaging surfaces can be mounted for deforming a plurality of surgical fasteners through and fasten tissue, the surgical stapler comprising:

a housing having a fixed handle;

a clamping handle mounted to said housing and selectively movable relative to said fixed handle from a first position in spaced relation relative to said fixed handle to a second position closer to said fixed handle to actuate the clamping of tissue;

an adapter yoke which translates within said housing upon actuation of said clamping handle, said adapter yoke mechanically cooperating with a lead screw disposed within said housing to actuate the tool assembly to clamp tissue;

a drive assembly disposed within said housing, said drive assembly including a shaft, said shaft being mechanically engaged with said lead screw such that upon selective activation of said drive assembly, said shaft rotates said lead screw within said housing to advance a roll nut distally along said lead screw to force a firing piston into a tool assembly when mounted on the housing to deform the surgical fasteners through and fastening the tissue; and

a pressure sensitive trigger which regulates the advancement of said roll nut along said lead screw which, in turn, regulates the speed at which said surgical fasteners are deformed.

Claim 2 (Original): A surgical stapler according to claim 1, wherein said drive assembly is pneumatically powered.

Claim 3 (Canceled).

Claim 4 (Canceled).

Claim 5 (Previously Presented): A surgical stapler according to claim 1, wherein said stapler includes at least one safety which prevents activation of said drive assembly until said safety is deactivated.

Claim 6 (Previously Presented): A surgical stapler according claim 5, wherein said at least one safety is automatically deactivated when said clamping handle is moved to said second position to clamp tissue.

Claim 7 (Previously Presented): A surgical stapler according to claim 1, wherein said roll nut includes a firing safety which prevents said roll nut from advancing to force said firing piston until said firing safety is deactivated.

Claim 8 (Previously Presented): A surgical stapler according to claim 1, wherein said stapler includes a switch for reversing the rotation of said shaft of said drive assembly upon activation thereof.

Claim 9 (Previously Presented): A surgical stapler according to claim 1, wherein said shaft rotates upon activation of said drive assembly which in turn rotates said lead screw.

Claim 10 (Withdrawn): A surgical stapler, comprising:

a housing;

an elongated member attached to the housing;

a tool assembly attachable to the distal end of the elongated member, said tool assembly including an anvil assembly and a cartridge assembly each having an opposing tissue engaging surface, said cartridge assembly including a plurality of surgical fasteners;

a selectively activatable drive assembly including an actuation shaft, said actuation shaft being mechanically engaged with a lead screw such that upon selective activation of said drive assembly, said actuation shaft rotates said lead screw to advance a firing shaft and actuate said tool assembly to initially clamp tissue between opposing tissue engaging surfaces of said tool assembly and subsequently to force a firing piston into said tool assembly to deform the surgical fasteners through and fasten tissue.

Claim 11 (Withdrawn): A surgical stapler according to claim 10, wherein said actuation shaft reciprocates upon activation of said drive assembly, said actuation shaft being mechanically engaged with a converter which converts the reciprocal motion of said actuation shaft into rotary motion of said lead screw.

Claim 12 (Withdrawn): A surgical stapler according to claim 10, wherein said actuation shaft rotates upon activation of said drive assembly which in turn rotates said lead screw.

Claim 13 (Withdrawn): A surgical stapler according to claim 10, wherein said stapler further comprises a pressure sensitive trigger which regulates the speed of drive assembly which, in turn, regulates the speed at which said surgical fasteners are deformed.

Claim 14 (Withdrawn): A surgical stapler according to claim 10, wherein said stapler further comprises a switch for reversing the rotation of said shaft of said drive assembly upon activation thereof.

Claim 15 (Withdrawn): A surgical stapler according to claim 10, wherein said stapler further comprises a canister for containing a supply of pressurized gas for activation of said drive assembly, said canister being internally disposed within said housing.

Claim 16 (Withdrawn): A surgical stapler according to claim 10, wherein said canister is selectively replaceable.

Claim 17 (Withdrawn): A surgical stapler according to claim 10, wherein said elongated member and said tool assembly are configured for endoscopic use.

Claim 18 (Withdrawn): A surgical stapler according to claim 10, wherein the surgical stapler is suitable for one-handed operation.

Claim 19 (Canceled).